

**REMARKS**

In the outstanding Office Action dated August 15, 2003, the Examiner rejected claims 1-5, 12-15, 28-35, and 38-40 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,748,878 to Rees et al. ("Rees"). Applicants respectfully traverse this rejection.

For a proper rejection under §102, every element of the claimed invention must be identically disclosed, either expressly or under principles of inherency, in a single reference. The exclusion of a single claimed element from the reference, no matter how insubstantial or obvious, is enough to negate anticipation. Applicants submit that Rees does not disclose every element of the claimed invention and that the rejection under §102, therefore, must be withdrawn.

More specifically, Rees does not disclose all of the limitations of claims 1 and 28. Claim 1, for example, defines a system for monitoring the operation of computer programs by collecting software related events. As recited in the claims, the software related events relate to the performance of a respective target program and are received from target programs by a corresponding event collection card. Each collection card is installed on the same system bus as its respective target program and includes a time stamp clock to time stamp each event as it is received. A sync control unit synchronizes the time stamp clock to a sync signal received by a sync interface. A collection control unit time stamps the collected events according to the synchronized time stamp clock and stores the time stamped event in an event memory. Each collection card sends the collected software related events to a host computer that monitors the performance of the target programs based on the collected events.

Rees, in contrast, discloses using a probe 20 for collecting "tags" generated by an instrumented computer code. The tags may be time stamped by using a clock of probe 20. Further, the synchronization discussion in Rees (Fig. 7; col. 12, lines 5-30) relied upon by the Examiner, simply relates to synchronizing a time stamp with corresponding tag information (e.g., col. 7, lines 19-22; col. 12, lines 26-30).

Thus, Rees does not disclose combinations including, for example, a "sync control unit for synchronizing the time stamp clock to the sync signal received by the sync interface," as recited in claim 1, or "synchronizing a time stamp clock to the received sync signal," as recited in claim 28. As described above, Rees does not disclose synchronizing a time stamp clock to a sync signal, but describes synchronizing a time stamp to a captured tag instead.

Moreover, Rees does not disclose a combination including, for example, a plurality of event collection cards receiving software related events from a respective target program, where each event collection card has an interface for "receiving a sync signal" and a control unit for "synchronizing a time stamp clock to the sync signal," as recited in claims 1 and 28. Rees, on the other hand, discloses using only one probe 20 (and thus one clock) to collect tag information, and therefore does not include structure for synchronizing the clock of probe 20 to a received sync signal.

For at least these reasons, claims 1 and 28 are allowable over Rees, and the rejection under §102(b), therefore, must be withdrawn.

The Examiner also rejected claims 6-9 under 35 U.S.C. § 103 as unpatentable over Rees and U.S. Patent No. 6,073,255 to Nouri. The Examiner relies upon Nouri for its apparent disclosure of a master card synchronizing a slave card. Since Nouri fails to

cure the above deficiencies of Rees, however, and since claims 6-9 ultimately depend from claim 1, these claims are allowable for the reasons given above.

The Examiner also rejected claims 10, 11, 36, and 37 under 35 U.S.C. § 103 as unpatentable over Rees and U.S. Patent No. 5,375,070 to Hershey. The Examiner relies upon Hershey for its apparent disclosure of a bus isolation unit. Since Hershey also fails to cure the above deficiencies of Rees, however, and since claims 10, 11, 36, and 37 depend from claims 1 or 28, these claims are similarly allowable for the reasons given above.

Accordingly, claims 1 and 28 are thus allowable over Rees, as well as any possible combination of Rees with Nouri and/or Hershey. Because claims 2-15 and 29-40 ultimately depend from either claim 1 or 28, these claims are allowable for at least the same reasons given above for claims 1 and 28.

Therefore, in view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of pending claims 1-15 and 28-44.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 07-2347.

Respectfully submitted,

By:

  
Joel Wall  
Reg. No. 25,648

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